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EXAMINER

LEVITAN, DMITRY

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 16

Application Number: 09/329,391
Filing Date: June 10, 1999
Appellant(s): SOEPENBERG ET AL.

William A. Munck
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed April 03, 2003

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments before final rejection contained in the brief is correct. Note that the amendment, filed after final rejection on 11/12/02, has not been entered.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

The rejection of claims 1-8 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,420,866 Wasilewski 5-1995

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-8 are rejected under 35 U.S.C. 102 (b) as being anticipated by Wasilewski (US 5,420,866).

Regarding claims 1, 3, 5 and 7 Wasilewski teaches a transmission system (see Fig. 2) for transmitting a multiplex signal 68 (see Fig. 4) from a transmitter 8 (satellite uplink) to a receiver 201 (subscriber location, see col. 8 lines 1-30). Multiplex signal 68 is inherently a periodic signal because said signal carries Program Map Table (PMT) to each decoder (see col. 10 lines 8-30). Signal 68 has at least a module 72 (Program Definition 2 on Fig. 4) comprising at least one object 80 (Elementary Stream Definition 2 on Fig. 4).

Receiver 201 (see Fig. 6 and col. 13 lines 35-68) has extracting means (decoder 110) for extracting objects 80 from the multiplex signal 68. Decoder 110 is adapted to extract objects 80 (Elementary Stream Definition 2, Fig. 4) based on the module 72 (Program Definition 2, fig. 4) related information 74 (Program Number, Fig. 4). Module related information 74 is included in the multiplex signal 68 (see Fig. 4).

Regarding claims 2, 4 and 6 Wasilewski discloses a transmission system (see rejection of claim 1 above) where module related information (Program Definition 2 on Fig. 4) is contained in a single information section (Program Number 74 on Fig. 4) of the transport stream 68.

(11) Response to Argument

On page 7 of the Brief, Appellant argues that Wasilewski (US 5,420,866) does not disclose “periodically repeated plurality of modules each comprising at least one object” with the term object used to mean a self-contained executable code segment.

Examiner respectfully disagrees with Appellant’s interpretation of the term object. Since it is not defined in the specification, the term “object”, reasonably interpreted, can refer to many things including a piece of data¹. With this definition in mind, it is clear that Elementary Stream Definition 2 of Wasilewski (apiece of data) meets the claim limitation “object”.

On page 8 of the Brief, Appellant argues that Wasilewski (US 5,420,866) does not disclose “periodically repeated” program map table.

Examiner respectfully disagrees.

Wasilewski teaches transmitting a Program Map Table to identify a television program for each user (col. 2 lines 63-67 and col. 3 lines 1-22). Program Map Tables (listings of television programs) are inherently periodically transmitted to provide programming information for new users who can turn on their receivers at any time and inquire about available TV shows.

On page 9 of the Brief, Appellant argues that Wasilewski (US 5,420,866) does not disclose “that the program number is used to extract the elementary stream definitions from the program map”.

Examiner respectfully disagrees.

¹ IEEE 100 The Authoritative Dictionary of IEEE Standards Terms. Seventh Edition. Page 752. See attached.

Art Unit: 2662

Wasilewski teaches transmitting a Program Map Table including user selectable program numbers (col. 2 lines 63-67 and col. 3 lines 1-22). Those numbers (for example Channel 4) identify elementary streams Packet IDs (Channel 4 video and Channel 4 audio) associated with the selected program number. The user does not know the elementary streams Packet IDs "making-up" the elementary streams of Channel 4, so the program number (4) is used to identify and extract the stream Packet IDs from the Program Map, so that the latter can be used to isolate the data packets forming the program stream.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Dmitry Levitan
Patent Examiner
April 18, 2003

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- OA See:** output axis; oil-immersed transformer.
- OBC See:** bar code; optical bar code.
- OBE See:** operating basis earthquake.
- OBI See:** omnibearing indicator.
- Object** An instance of the class IEEE1451.Entity or of a subclass thereof. (IM/ST) 1451.1-1999
- object (1)** (A) Pertaining to the outcome of an assembly or compilation process. *See also:* object program; object module; object code. (B) A program constant or variable. (C) An encapsulation of data and services that manipulate that data. *See also:* object-oriented design. (C) 610.12-1990
- (2) A passive entity in a system that contains or receives information. Typically, objects include files, directories, registers, buffers, cache, memories, bus lines, displays, and other input/output devices. (C/BA) 896.3-1993w
- (3) A piece of data that can be defined by the operations performed on it. The Intrinsics represent an object internally as a pointer to a dynamically allocated data structure. (C) 1295-1993w
- (4) A representation of a real-world entity. An object is an instance of a class and has values for the attributes and relationships defined for that class. (C/SE) 1420.1-1995
- (5) An abstraction of a physical or logical resource. (C) 610.7-1995
- (6) An instance in the software hierarchy that can be operated on using the software administration utilities. (C/PA) 1387.2-1995
- (7) Any of the complex information objects created, examined, modified, or destroyed by means of the [OM] interface. (C/PA) 1238.1-1994w, 1328-1993w, 1224-1993w, 1327-1993w, 1224.1-1993w
- (8) A member of an object set and an instance of an object type. An object represents something in the observable world that may be distinguished from other instances of its object type and may be uniquely identified. (C/SE) 1320.1-1998
- (9) A data object that has an identifier (name) and a value. (C/LM) 802.10-1998
- (10) A collection of data and operations. (IM/ST) 1451.1-1999
- (11) *See also:* directory object; OM object. (C/PA) 1328.2-1993w, 1224.2-1993w
- (12) *See also:* instance. (C/SE) 1320.2-1998
- object class** An identified family of objects (or conceivable objects) that share certain characteristics. *Synonym:* directory class. (C/PA) 1328.2-1993w, 1224.2-1993w, 1326.2-1993w, 1327.2-1993w
- object code** Computer instructions and data definitions in a form output by an assembler or compiler. An object program is made up of object code. *Contrast:* source code. (C) 610.12-1990
- object color** The color of the light reflected or transmitted by the object when illuminated by a standard light source, such as source A, B, or C of the Commission Internationale de l'Eclairage (CIE). *See also:* standard source; color. (EBC/IE) [126]
- Object Dispatch Address** A network-specific identifier for an endpoint of a client-server communication. Specifically, a value having datatype ObjectDispatchAddress. (IM/ST) 1451.1-1999
- object entry See:** entry.
- object extraction See:** image segmentation.
- object file** A regular file containing the output of a compiler, formatted as input to a linkage editor for linking with other object files into an executable form. The methods of linking are unspecified and may involve the dynamic linking of objects at run time. The internal format of an object file is unspecified, but a conforming application shall not assume an object file is a text file. (C/PA) 9945-2-1993
- object identifier (1)** A value (distinguishable from all other values) that is associated with an information object. (C/PA) 1328.2-1993w, 1224.2-1993w, 1326.2-1993w, 1327.2-1993w
- (2) In general, a unique representation (name) of a manageable object defined in a management information base (MIB). (C/MM1) 1284.1-1997
- (3) Some concrete representation for the identity of an object (instance). The object identifier (oid) is used to show examples of instances with identity, to formalize the notion of identity, and to support the notion in programming languages of database systems. (C/SE) 1320.2-1998
- Objective C** An object-oriented version of C. (C) 610.13-1993
- object configuration** In an object, the configuration is the specification of its allowed communications and of the internal state or organization of the object. To configure an object means to make the necessary changes to the object to make real these specifications. (IM/ST) 1451.1-1999
- objective evidence (nuclear power quality assurance)** Any documented statement of fact, other information, or record, either quantitative or qualitative, pertaining to the quality of an item or activity, based on observations, measurements, or tests which can be verified. (PE/NP) [124]
- objective loudness rating (loudness ratings of telephone connections)** The rating of a connection or its components when measured according to this standard. (COM/TA) 661-1979
- objectives** The desired goals and results of the evaluation/selection process in terms relevant to the organization(s) involved. (C/SE) 1209-1992w
- object language See:** target language.
- Object Management Group (OMG)** Organization of computer manufacturers, software developers, communications organizations, and computer users established to promote open object-oriented computer architectures and standards. (SCC20) 1226-1998
- object model (1)** An integrated abstraction that treats all activities as performed by collaborating objects and encompassing both the data and the operations that can be performed against that data. An object model captures both the meanings of the knowledge and actions of objects behind the abstraction of responsibility. (C/SE) 1320.2-1998
- (2) A definition of data structures and operations organized in a formal specification. An object model provides applications with a common view and a common way of interfacing to an element of functionality. (IM/ST) 1451.1-1999
- object module** A computer program or subprogram that is the output of an assembler or compiler. *See also:* load module; object program. (C) 610.12-1990
- Object Name** A nonconfigurable name for an instance of an Object used to convey the purpose or function of the Object instance. For any Object, the operation GetObjectName returns a value, object_name, that has the same value as Object Name. (IM/ST) 1451.1-1999
- object-oriented design** A software development technique in which a system or component is expressed in terms of objects and connections between those objects. *See also:* transform analysis; rapid prototyping; stepwise refinement; structured design; data structure-centered design; transaction analysis; modular decomposition; input-process-output. (C) 610.12-1990
- object-oriented language (1)** A programming language that allows the user to express a program in terms of objects and messages between those objects. Examples include Smalltalk and LOGO. (C) 610.12-1990